VS

NICHOLAS BICKLE.

Defendant.

## UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA,
)
Plaintiff,
) 2:10-cr-0565-RLH-PAL

) (Motion to Extend Time-#332)

ORDER

Before the Court is Defendant Bickle's **Motion for Extension of Time for Government to File Response to 2255 Motion** (#332, filed August 21, 2015). Because the Rules require Defendant's reply to the Government's Response be filed today, the Court will not await a response to this one-paragraph motion.

Bickle filed his Title 18 U.S.C. § 2255 Motion (#329) on July 6, 2015. The United States filed its Response in Opposition (#331) on August 18, 2015. Bickle's Motion for Extension of Time was not filed until three days later, on August 21, 2015—although it is purportedly dated August 14, 2015. Thus, the part of the Motion to Extend regarding the Government's Opposition is moot, inasmuch as the Opposition has already been filed.

The basis for Defendant Bickle's Motion to Extend is that he has retained counsel to review the record and give him advice. There is no explanation of why the advice of counsel was not sought before bringing the motion in the first instance, no information about when counsel was retained or how long counsel would need to review the record and give the anticipated advice.

Furthermore, there is no affirmative indication that the anticipated advice would, in fact, be encouraging to Bickle, or how much time is being requested or suggested for the schedule to be extended.

Accordingly, in an effort to give Defendant Bickle the benefit of the doubt, and although the United States has already provided its Opposition, for good cause appearing,

IT IS HEREBY ORDERED that the Motion for Extension of Time for Government to File Response to 2255 Motion (#332) is denied in part and granted in part as follows:

- (1) That part of the Motion seeking an extension for the Government's Response in Opposition is denied as moot.
- (2) That part of the Motion seeking an extension of time for Defendant Bickle to file his reply is granted and the time to file his Reply is extended to October 8, 2015.

Dated: August 24, 2015.

L. Hamb

United States District Judge